

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 7936

VAN DEN BRINK et al

Atty. Ref.: 4560-4

Serial No. 10/518,414

Group:

Filed: December 17, 2004

Examiner:

For: IMPROVED METHOD OF PRODUCING AN ASPARTIC  
PROTEASE IN A RECOMBINANT HOST ORGANISM

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 30, 2005

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- ☒ 1. **PTO-SB08a Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
N/C
- ☐ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

The following are submitted in the above-identified application in compliance with  
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-SB08a together with copies (as  
may be required) of each identified document and a translation or a  
concise explanation of each non-English language document (such  
as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

- ☒ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
  - ☐ a) The required Statement made in item 8 below; or
  - ☐ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
  - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
  - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
  - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
  - ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

VAN DEN BRINK et al  
Appl. No. 10/518,4  
August 30, 2005

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

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**(Use several sheets if necessary)**

**Atty. Docket No.**

**Serial No.**

**4560-4**

**10/518,414**

**Applicant**

VAN DEN BRINK et al

Filing Date

~~TC/A.U.~~

**December 17, 2004**

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS** (including Author, Title, Date, Pertinent pages, etc.)

	Dunn-Coleman et al, "Commercial Levels of Chymosin Production by <i>Aspergillus</i> ", Bio/Technology 9:976 (1991)
	Harboe, Marianne K., " <i>Rhizomucor miehei</i> ASPARTIC PROTEINASES HAVING IMPROVED PROPERTIES", Aspartic Proteinases, edited by James, Plenum Press, New York, pgs. 293-296 (1998)
	Gilliland et al, "The Three-Dimensional Structure of Recombinant Bovine Chymosin at 2.3 Å Resolution", Proteins: Structure, Function, and Genetics 8:82-101 (1990)
	Peberdy, John F., "Protein secretion in filamentous fungi – trying to understand a highly productive black box", Tibtech 12:50-57 (1994)
	Jenkins and Curling, "Glycosylation of recombinant proteins: Problems and prospects", Enzyme Microb. Technol. 16:354-364 (1994)

*Examiner		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.